

AMENDED IN ASSEMBLY APRIL 28, 2009

AMENDED IN ASSEMBLY APRIL 2, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

## ASSEMBLY BILL

**No. 1403**

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**Introduced by Assembly Member Eng**  
*(Coauthor: Assembly Member Hernandez)*  
*(Coauthors: Senators Huff and Lowenthal)*

February 27, 2009

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An act to amend, *repeal, and add* Section 99233.2 ~~of~~ to the Public Utilities Code, relating to transportation.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1403, as amended, Eng. Local transportation funds: planning and programming.

Existing law, pursuant to the Mills-Alquist-Deddeh Act, also known as the Transportation Development Act, provides for allocation by the transportation planning agency of  $\frac{1}{4}\%$  of the sales tax in each county deposited in the local transportation fund to various transportation purposes, including transportation planning and programming, public transit, and, in some cases, local streets and roads. Up to 3% of annual revenues may be allocated to the transportation planning agency, if it is statutorily created, for transportation planning and programming purposes. In the multicounty region that is within the Southern California Association of Governments (SCAG), which is also known as the multicounty designated transportation planning agency, specified percentages of annual revenues may be allocated to the statutorily created county transportation commissions in 5 individual counties, and up to  $\frac{3}{4}$  of 1% of annual revenues, but not more than \$1,000,000,

may be allocated by the commissions in Los Angeles, Orange, Riverside, and San Bernardino counties, proportionately, to SCAG for its transportation planning and programming functions.

This bill, *effective July 1, 2011*, would delete the \$1,000,000 limitation on allocations of these funds by the 4 county transportation commissions to SCAG.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Section 99233.2 of the Public Utilities Code is*  
2     *amended to read:*

3     99233.2. (a) Except as provided in subdivisions (b) and (c),  
4     there shall be allocated to the transportation planning agency, if it  
5     is statutorily created, such sums as it may approve, up to 3 percent  
6     of annual revenues, for the conduct of the transportation planning  
7     and programming process, unless a greater amount is approved by  
8     the director.

9     (b) (1) In those areas that have a county transportation  
10    commission created pursuant to Section 130050, up to 1 percent  
11    of annual revenues shall be allocated to the commission in Los  
12    Angeles County, and up to 3 percent of the annual revenues shall  
13    be allocated to the commissions in Orange, Riverside, and San  
14    Bernardino Counties for the transportation planning and  
15    programming process. Of the funds allocated to the commission  
16    in Riverside County, one-half shall be allocated for planning studies  
17    within the Western Riverside County and the Coachella Valley  
18    areas, as determined by the commission.

19    (2) In the area of the multicounty designated transportation  
20    planning agency, as defined in Section 130004, up to three-fourths  
21    of 1 percent of annual revenues, but not more than one million  
22    dollars (\$1,000,000) per year, shall be allocated by the appropriate  
23    entities, proportionately, on or before each July 1, to the  
24    multicounty designated transportation planning agency for the  
25    transportation planning and programming process. No operator  
26    shall grant any funds it receives under this chapter to the designated  
27    multicounty transportation planning agency for purposes of the  
28    agency carrying out its responsibilities under Division 12  
29    (commencing with Section 130000).

1 (c) In Ventura County, up to 2 percent of the annual revenues  
2 shall be allocated to the Ventura County Transportation  
3 Commission for the transportation planning and programming  
4 process.

5 (d) *This section shall be repealed on July 1, 2011.*

6 SEC. 2. *Section 99233.2 is added to the Public Utilities Code,*  
7 *to read:*

8 99233.2. (a) *Except as provided in subdivisions (b) and (c),*  
9 *there shall be allocated to the transportation planning agency, if*  
10 *it is statutorily created, such sums as it may approve, up to 3*  
11 *percent of annual revenues, for the conduct of the transportation*  
12 *planning and programming process, unless a greater amount is*  
13 *approved by the director.*

14 (b) (1) *In those areas that have a county transportation*  
15 *commission created pursuant to Section 130050, up to 1 percent*  
16 *of annual revenues shall be allocated to the commission in Los*  
17 *Angeles County, and up to 3 percent of the annual revenues shall*  
18 *be allocated to the commissions in Orange, Riverside, and San*  
19 *Bernardino Counties for the transportation planning and*  
20 *programming process. Of the funds allocated to the commission*  
21 *in Riverside County, one-half shall be allocated for planning*  
22 *studies within the Western Riverside County and the Coachella*  
23 *Valley areas, as determined by the commission.*

24 (2) *In the area of the multicounty designated transportation*  
25 *planning agency, as defined in Section 130004, up to three-fourths*  
26 *of 1 percent of annual revenues shall be allocated by the*  
27 *appropriate entities, proportionately, on or before each July 1, to*  
28 *the multicounty designated transportation planning agency for the*  
29 *transportation planning and programming process. No operator*  
30 *shall grant and funds it receives under this chapter to the*  
31 *designated multicounty transportation planning agency for*  
32 *purposes of the agency carrying out its responsibilities under*  
33 *Division 12 (commencing with Section 130000).*

34 (c) *In Ventura County, up to 2 percent of the annual revenues*  
35 *shall be allocated to the Ventura County Transportation*  
36 *Commission for the transportation planning and programming*  
37 *process.*

38 (d) *This section shall become operative on July 1, 2011.*

39 ~~SECTION 1. Section 99233.2 of the Public Utilities Code is~~  
40 ~~amended to read:~~

1 99233.2.—(a) Except as provided in subdivisions (b) and (c),  
2 there shall be allocated to the transportation planning agency, if it  
3 is statutorily created, such sums as it may approve, up to 3 percent  
4 of annual revenues, for the conduct of the transportation planning  
5 and programming process, unless a greater amount is approved by  
6 the director.

7 (b) (1) In those areas that have a county transportation  
8 commission created pursuant to Section 130050, up to 1 percent  
9 of annual revenues shall be allocated to the commission in Los  
10 Angeles County, and up to 3 percent of the annual revenues shall  
11 be allocated to the commissions in Orange, Riverside, and San  
12 Bernardino Counties for the transportation planning and  
13 programming process. Of the funds allocated to the commission  
14 in Riverside County, one-half shall be allocated for planning studies  
15 within the Western Riverside County and the Coachella Valley  
16 areas, as determined by the commission.

17 (2) In the area of the multicounty designated transportation  
18 planning agency, as defined in Section 130004, up to three-fourths  
19 of 1 percent of annual revenues shall be allocated by the appropriate  
20 entities, proportionately, on or before each July 1, to the  
21 multicounty designated transportation planning agency for the  
22 transportation planning and programming process. No operator  
23 shall grant any funds it receives under this chapter to the designated  
24 multicounty transportation planning agency for purposes of the  
25 agency carrying out its responsibilities under Division 12  
26 (commencing with Section 130000).

27 (c) In Ventura County, up to 2 percent of the annual revenues  
28 shall be allocated to the Ventura County Transportation  
29 Commission for the transportation planning and programming  
30 process.